



Attorney Docket No.: 0018-10

PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Carl E. Fabian                      Group Art Unit: 3736  
Serial No.: 10/650,377                      Examiner: N/A  
Filed: August 28, 2003  
For: **ATTACHMENT OF ELECTRONIC TAGS TO  
SURGICAL SPONGES AND IMPLEMENTS**  
Matter No.: 0018-10

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(b)**

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the following documents, which are listed on the attached PTO-1449 Form. The Examiner may deem these documents to be relevant to patentability of the claims of the above-identified application. A copy of each of the documents listed in those sections entitled "Foreign Patent Documents" and "Other Documents" is enclosed for the convenience of the Examiner.

The submission of the PTO-1449 Form containing the listed documents is not intended as an admission that any of the documents constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

It is understood that no fee is necessary for submission of this Information Disclosure Statement, as it is being filed before the later of three months from the filing date or the mailing of the first Office Action on the merits.

For the reasons set forth above, it is submitted that no additional fee is required for this Information Disclosure Statement. However, in the event that the Commissioner deems that an additional fee is required, it is respectfully requested that applicant's attorney be contacted and accorded an opportunity to pay such additional fee.

Respectfully submitted,



Ernest D. Buff  
Reg. No. 25,833

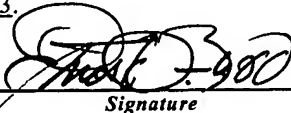
**Enclosures**

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Dated: November 25, 2003

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 25, 2003.



*Signature*

Ernest D. Buff  
*Attorney of Record*

November 25, 2003  
*(Date)*

<b>FORM PTO-1449</b> (Rev. 2-32)		<b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>		<b>ATTY. DOCKET NO:</b> 0018-10		<b>SERIAL NO.:</b> 10/650,377	
<b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>				<b>APPLICANT:</b> Carl E. Fabian			
(Use several sheets if necessary)				<b>FILING DATE:</b> August 28, 2003		<b>GROUP:</b> 3736	
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAMINER</b> <b>INITIAL</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF</b> <b>APPROPRIATE</b>
		4,193,405	03-18-80	Abels	128	296	06/09/78
		5,057,095	10-15-91	Fabian	604	362	11/16/89
		5,105,829	04-21-92	Fabian et al.	128	899	05/06/91
		5,107,862	04-28-92	Fabian et al.	128	899	05/06/91
		5,188,126	02-23-93	Fabian et al.	128	899	03/25/92
		5,190,059	03-02-93	Fabian et al.	128	899	03/25/92
		5,329,944	07-19-94	Fabian et al.	128	899	03/02/93
		5,664,582	09-09-97	Symaitis	128	898	08/28/95
		5,923,001	07-13-99	Morris et al.	177	245	04/04/97
		5,931,824	08-03-99	Stewart et al.	604	358	08/29/97
		6,026,818	02-22-00	Blair et al.	128	899	03/02/98
<b>FOREIGN PATENT DOCUMENTS</b>							
							<b>TRANSLATION</b>
		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>PATENTEE OR APPLICANT</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>YES</b> <b>NO</b>
<b>OTHER DOCUMENTS(Including Author, Title, Date, Pertinent Pages, etc.)</b>							
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							